

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**MICHAEL L. SHAKMAN and,
PAUL M. LURIE, et. al.,**

Plaintiffs,

V.

**THE DEMOCRATIC ORGANIZATION
OF COOK COUNTY, et. al.,**

Defendants.

No. 69 C 2145

Judge Edmond E. Chang

MOTION TO REASSIGN BASED ON RELATEDNESS

NOW COMES Defendant Cook County Recorder of Deeds Office (“the Recorder’s Office”), and Defendant Cook County as indemnitor (collectively “Defendants”), by Kimberly M. Foxx, Cook County State’s Attorney, through her assistant Kathleen C. Ori, and respectfully request that *Pillows and Wilson v. Cook County Recorder of Deeds and Cook County*, No. 18-cv-7497, currently pending before Magistrate Judge Heather K. McShain, be reassigned to this Court based on relatedness to this matter pursuant to L.R. 40.4.

BACKGROUND

Plaintiffs Khesi Pillows and Tiffany Wilson (“Plaintiffs”) filed complaint against Defendants, where they allege they were terminated from the Recorder’s Office in violation of the *Shakman* Decree. The case has been assigned the case number No. 18-cv-7497 and the operative complaint is attached as Exhibit A.

On April 11, 2019, Defendants moved to reassign the matter to Magistrate Judge Sidney Schenkier based on relatedness, as he was presiding over the various Supplemental Relief Orders entered in this matter. (Dkt. No. 6291). On April 23, 2019, Judge Schenkier granted the motion

to reassign the case based on relatedness pursuant to L.R. 40.4. (Dkt. No. 6304). Judge Schenkier has since retired from the bench and this matter was reassigned to Magistrate Judge McShain on May 20, 2020. Defendants once again move to reassign the matter based on relatedness.

Local Rule 40.4 provides for reassignment of related cases to effectively promote “efficient use of judicial resources by minimizing the duplication of effort on cases that have a great deal in common.” *Glob. Patent Holdings, LLC v. Green Bay Packers, Inc.*, No. 00 C 4623, 2008 U.S. Dist. LEXIS 33296, at *6 (N.D. Ill. Apr. 23, 2008). Reassignment is appropriate where the requirements of Local Rule 40.4(a) and (b) are satisfied. *River Vill. W. LLC v. Peoples Gas Light & Coke Co.*, No. 05 C 2103, 2007 U.S. Dist. LEXIS 98507, at *4 (N.D. Ill. Feb. 14, 2007).

Local Rule 40.4 (a) provides that civil cases are related under the Rule where one or more of the following conditions is met: “(1) the cases involve the same property; (2) the cases involved some of the same issues of fact or law; (3) the cases grow out of the same transaction or occurrence; or (4) in class action suits, one or more of the classes involved in the cases is or are the same.” The Rules does not require compete identity of issues in order for case to be considered related. *Murry v. America’s Mortgage Bank, Inc.*, 2004 U.S. Dist. LEXIS 3148, at *6 (N.D. Ill. Feb. 27, 2004).

Local Rule 40.4(b) further provides that a related action may be reassigned where each of the following criteria is met: (1) both cases are pending in this Court; (2) the handling of both cases by the same judge is likely to result in a substantial saving of judicial time and effort; (3) the earlier case has not progressed to the point where designating a later filed case as related would be likely to delay the proceedings in the earlier case substantially; and (4) the cases are susceptible of disposition in a single proceeding.”

Here, the requirements of Local Rule 40.4(a) and (b) are easily met. Both *Shakman v. Democratic Organization of Cook County, et. al.*, No. 69-cv-2145 and *Khesi Pillows and Tiffany Wilson, vs. Cook County Recorder of Deeds Office and Cook County*, No. 18-cv-7497 are presently pending in the United States District Court for the Northern District of Illinois, Eastern Division. The instant case involves some of the same issues of fact or law as *Shakman* and the Supplemental Relief Order for the Recorder's Office ("SRO"). [Dkt. no. 1831.] Plaintiff alleges, and Defendants dispute, that Defendants violated the *Shakman* Decree by terminating Plaintiffs from their positions with the Recorder's Office based upon political reasons and factors.

For these reasons, Defendants respectfully move to reassign *Wilson and Pillows* to this Court.

Respectfully submitted,

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